

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

DATE OF MEETING: Thursday, August 16, 2018
TIME OF MEETING: 4:00 p.m.
PLACE OF MEETING: Commission Chambers, First Floor, Muskegon City Hall

AGENDA

- I. Roll Call
- II. Approval of Minutes from the special meeting of July 12, 2018.
- III. Public Hearings
 - A. Hearing, Case 2018-25: Request for preliminary Planned Unit Development approval for a mixed-use development at 3400, 3460, 3474 Wilcox Ave, 1875 Waterworks Rd and 1490 Edgewater St, by MiCOAST Properties, LLC.
 - B. Hearing, Case 2018-26: Staff initiated request to rezone 372, 380, 388, 394, 398, 406, and 414 Houston Ave; 1246, 1252 and 1258 5th St; 240, 250 and 254 Monroe Ave; and 1148 6th St from R-3, High Density Single Family Residential to Form Based Code, Urban Residential.
- IV. New Business
- V. Old Business
- VI. Other
- VII. Adjourn

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CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting, upon twenty-four hour notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following:

Ann Meisch, City Clerk
933 Terrace Street

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

July 12, 2018

Chairperson T. Michalski called the meeting to order at 4:00 p.m. and roll was taken.

MEMBERS PRESENT: T. Michalski, J. Montgomery-Keast, M. Hovey-Wright, B. Mazade, S. Gawron

MEMBERS ABSENT: Excused: J. Doyle, F. Peterson, E. Hood, B. Larson

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: B. Varboncoeur, 2016 Morton; N. Brooks, 306 Campbell; R. Harwood, 367 Gunn; M. Pastori, 766 Marquette; R. Marsh, 2063 Crowley

APPROVAL OF MINUTES

A motion to approve the Minutes of the special Planning Commission meeting of June 14, 2018, was made by J. Montgomery-Keast, supported by S. Gawron and unanimously approved.

PUBLIC HEARINGS

Hearing, Case 2018-22: Request for a special land use permit to allow an addition to a non-conforming use at 2016 Morton Street, by Barb and Stan Varboncoeur. M. Franzak presented the staff report. The property is zoned R-1, Low Density Single-Family Residential. The use as a home is considered legally non-conforming because the lot size is roughly 3,650 square feet, falling short of the minimum lot size of 6,000 square feet. It was originally platted as one lot with the lot to the east. Non-conforming uses can be increased by up to 25% with the issuance of a special land use permit. The home is currently 942 square feet and the proposed addition is 235 square feet, which is 25%. Notice was sent to all property owners/tenants within 300 feet of this property. At the time of this writing, staff had not received any comments from the public. Staff recommends approval of the special use permit.

B. Varboncoeur explained that they'd like to expand their home to add more room to the kitchen and living room.

A motion to close the public hearing was made by J. Montgomery-Keast, supported by B. Mazade and unanimously approved.

A motion that the request for a special land use permit to allow an addition of up to 25% to a non-conforming use at 2016 Morton Street, be approved, was made by M. Hovey-Wright, supported by S. Gawron and unanimously approved, with T. Michalski, J. Montgomery-Keast, M. Hovey-Wright, B. Mazade, and S. Gawron voting aye

Hearing, Case 2018-23: Request to rezone a portion of the property at 306 Campbell St from R-1, Low Density Single Family Residential to I-1, Light Industrial. M. Franzak presented the staff report. The property is 7.1 acres and consists mostly of wetlands. There is a house fronting Campbell St, but most of the property is vacant. The wetlands area is zoned I-2, General Industrial and the rest is zoned R-1, Low Density Single-Family Residential. The applicant is requesting to rezone the portion of the property at the corner of Getty St. and Leonard Ave. to I-1, Light Industrial to build a small manufacturing space. The area would be

approximately 92' x 130' (11,960 sf). This corner consists mostly of multi-family housing. Notice was sent to all property owners/tenants within 300 feet of this property. At the time of this writing, staff had received three calls: R. Harwood of 367 Gunn St, Y. Morrissey of 736 Marquette Ave, and J. Gomez of 681 Leonard Ave. were all opposed to the request. Staff does not recommend the rezoning to industrial, as this area consists of residential homes and wetlands. It is unclear why the wetlands area is zoned industrial, but it most likely is a result of a former industrial use to the north. The Master Plan recommends buffer areas between residential and industrial uses.

J. Montgomery-Keast asked what would be allowed to be built there, under the industrial zoning. M. Franzak stated that the applicant indicated he would build a small manufacturing shop. N. Brooks stated that he owned the property and wished to put up a small metal building, the approximate size of a two-stall garage. The metal structure would not conform to residential requirements. He stated that he had considered opening a small food processing shop, or purchasing a drill press to run a small business drilling holes in machine parts. He planned to have a maximum of 3 people employed at the business. He stated that the lot was on the corner of Getty St. which was a business corridor. M. Franzak stated that the proposed use was the issue, not just the metal-sided building; a garage could be built on the property but Mr. Brooks could not run a business out of it. N. Brooks stated that he understood the need to be respectful of the neighbors but stated there were other businesses along Getty St. He asked if the Planning Commission could approve the request but put limits on the hours of business. M. Franzak stated that 3 shifts were usually allowed by right in industrial districts.

R. Harwood of 367 Gunn stated that he was opposed to the request, as he did not want to see industrial uses in the residential neighborhood. M. Pastori asked if the current parcel was zoned for business. N. Brooks looked up the zoning map online, which showed that it was residential.

A motion to close the public hearing was made by B. Mazade, supported by J. Montgomery-Keast and unanimously approved.

A motion that the request to rezone a portion of the property at 306 Campbell St from R-1, Low Density Single Family Residential to I-1, Light Industrial be recommended to the City Commission for denial was made by J. Montgomery-Keast supported by M. Hovey-Wright and unanimously approved, with T. Michalski, J. Montgomery-Keast, M. Hovey-Wright, B. Mazade, and S. Gawron voting aye. B. Mazade stated that, although Mr. Brooks intent to was to have a low-key operation, he was concerned about other uses allowed in an industrial zone, which would be intrusive to the neighborhood. M. Franzak stated that the request would still need to go before the City Commission for a final decision.

Hearing, Case 2018-24: Request to rezone a portion of the property at 710 Pulaksi Avenue from I-1, Light Industrial to B-4, General Business, by David Ramos. M. Franzak presented the staff report. The property is zoned I-1, Light Industrial and the building is used by Ramos Towing. The northern half of the property is vacant. The applicant would like to rent space to a dance studio, but that use is not allowed in industrial districts. The applicant would like to rezone a portion of the property to B-4 to allow a dance studio and also for their future development plans on the northern portion of the property. This area has a mixture of several different uses, with business being the most prominent. Northern Machine Tool and Ramos Towing are the only industrial properties on the block. The Seaway Industrial Park is located just to the northeast of this property. Notice was sent to all property owners/tenants within 300 feet of this property. At the time of this writing, staff had not received any comments from the public. Staff recommends approval of the rezoning. While the City does have a shortage of large parcels of land available for industry, this property is rather small and has not historically been used for industry. Also, the screening requirements for outdoor storage in B-4 zones will ensure that the northern portion of the property (which is visible from BUS 31) will remain in good upkeep without blight.

T. Michalski stated that he noticed the property was well-kept. R. Marsh of 2063 Crowley stated that he was in favor of the request, as the property owner keeps the property maintained.

A motion to close the public hearing was made by B. Mazade, supported by M. Hovey-Wright and unanimously approved, with T. Michalski, J. Montgomery-Keast, M. Hovey-Wright, B. Mazade, and S. Gawron voting aye.

A motion that the request to rezone a portion of the property at 710 Pulaksi Ave from I-1, Light Industrial to B-4, General Business be recommended to the City Commission for approval, was made by B. Mazade, supported by S. Gawron and unanimously approved, with T. Michalski, J. Montgomery-Keast, M. Hovey-Wright, B. Mazade, and S. Gawron voting aye

NEW BUSINESS

None

OLD BUSINESS

None

OTHER

Project Updates – M. Franzak updated board members on the Damfino development in the Bluffton/Beachwood neighborhood, and stated that they would be submitting a preliminary Planned Unit Development proposal in the near future. He also provided updates on the Harbour Towne Yacht Club building, the Pure Muskegon property, and the proposed Hartshorn Village development to be located near the Hartshorn Marina.

R. Marsh had been referred to the Planning Commission for questions regarding the City's fence ordinance. M. Franzak stated that it was something that staff would have to look into, and he would get back to Mr. Marsh.

There being no further business, the meeting was adjourned at 5:04 p.m.

dr

STAFF REPORT

August 16, 2018

Hearing, Case 2018-25: Request for preliminary Planned Unit Development approval for a mixed-use development at 3400, 3460, 3474 Wilcox Ave, 1875 Waterworks Rd and 1490 Edgewater St, by MiCOAST Properties, LLC.

SUMMARY

1. All of the properties are currently zoned for single family residential. The PUD is required to allow for mixed-uses and to give flexibility on setback requirements. Although setbacks are not currently defined, it is anticipated that they will be smaller than the city's requirements for R-1 districts and more closely aligned with the density of R-3 districts.

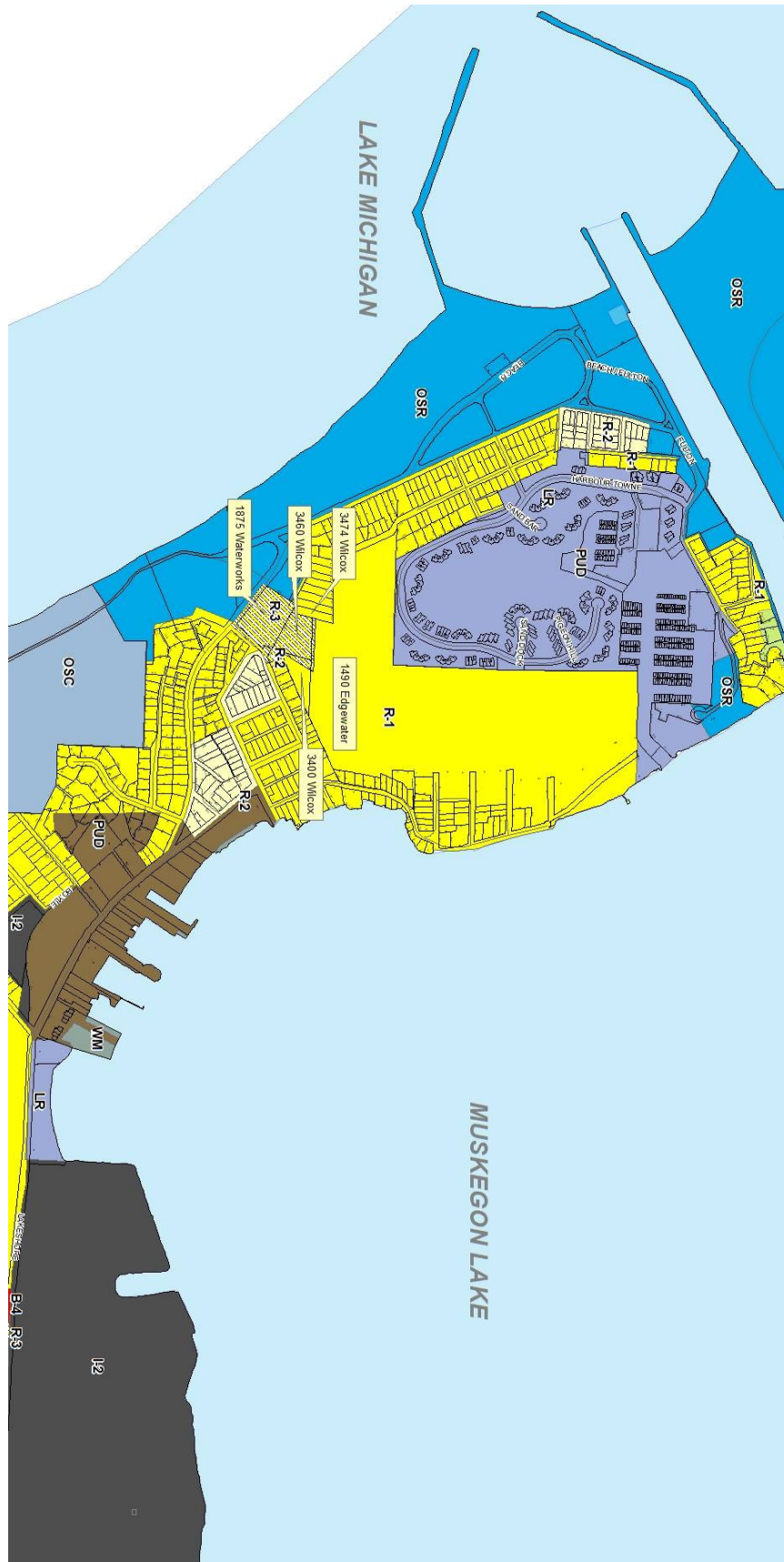
	R-1	R-2	R-3
Min Lot Size	6,000 sf	4,000 sf	3,000 sf
Min Lot Width	50 ft	40 ft	30 ft
Max Lot Coverage	Buildings: 50% Pavement: 10%	Buildings: 60% Pavement: 15%	Buildings: 70% Pavement: 20%
Front Setbacks	Minor Street: 15 feet	Minor Street: 10 feet	Minor Street: 10 feet
Rear Setback	30 ft	20 ft	15 ft
Side Setbacks:	1 story: 6 2 story: 8	1 story: 6 2 story: 7	1 story: 5 2 story: 5

2. There are 83 acres of land between all of the parcels included in this PUD. A 12-acre boat basin/channel will be dredged, leaving 71 acres of land. There are 27 acres of open/green space, leaving 44 acres of developed land. The density can be viewed three ways:
 - Total acreage including water and open/greenspace: 83 acres. $248 \text{ units} / 83 \text{ acres} = 2.99 \text{ dwelling units per acre}$
 - Total acreage including open/greenspace and excluding water: 71 acres. $248 \text{ units} / 71 \text{ acres} = 3.49 \text{ dwelling units per acres}$
 - Total acreage excluding water and open/greenspace: 44 acres. $248 \text{ dwelling units} / 44 \text{ acres} = 5.64 \text{ units per acre}$

In any scenario, the density is roughly the same as in many of our R-1 neighborhoods, which allow for a density of up to six units per acre. The density will be similar (even a bit lower) in nature to the adjacent section of the Beachwood/Bluffton neighborhood, which has a density of about 4.18 dwelling units per acre. Please see the map on following pages regarding the section of Beachwood/Bluffton neighborhood density. Although the plan includes both attached and clustered homes with reduced setbacks, the overall development is not considered very dense because of the abundance of open space and water.

3. Ingress/egress to the site will be served by three new road connections. A new road over the dune, which will commence at the intersection of Wilcox/Plum, has already been approved by the MDEQ. Other proposed connections include Edgewater Street and a connection to Harbour Towne Circle.

Zoning Map



Aerial Map



A topographical map showing wetlands should be overlaid on the development plan to see if any unique environmental features can be saved. Although not protected critical dunes, there are a few small dune formations that may be worth saving to give the property character. Also, existing wetlands with established trees may be able to be incorporated into stormwater management plans.



More information must be provided on the location of the docks/piers on Muskegon Lake. Dredging and a break wall may be required. Existing moorings may also need to be removed.



Locations near Harbour Towne where development should be more separated. There are also some locations near the backs of homes on Edgewater where proposed boat storage buildings are too close.



Although Harbour Towne Circle already has a road connection started (left), the applicant has proposed a road connection just to the east (right).



STAFF RECOMMENDATION

Staff recommends approval of the preliminary PUD, with the following requirements for final plan submittal.

- A traffic study must be conducted.
- Street dimensions, private parking lots, and public sidewalks/bike paths shall be depicted. Public access must be available, uninterrupted, from the community building to the marshland sanctuary on the west end of the development and to the beachside condominiums on the east end. Bicycle access must also be provided.
- A review of the utility system and capacities is required.
- Fishing must be open to the public on at least one dock on Muskegon Lake.
- Existing wetlands and natural elements must remain where feasible. A topographical map showing existing wetlands must be provided. The development team shall work with City and County staff to determine significant environmental features to keep.
- Boat storage buildings shall be more strategically located away from existing homes in the area. They shall also have design elements and landscaping.
- All development, including buildings and roads (except where connections are made), must be located farther from existing homes in Harbour Towne.
- Public roads and private alleys must be better identified, along with an agreement on who will maintain them. Some public neighborhoods maintain their own snow removal and storage.
- Seawalls and soft-edges must be identified in the new water basin. Also, plans for public or private maintenance must be identified.
- Low Impact Design concepts must be incorporated into the stormwater management plan.
- A phased development plan must be included.

DELIBERATION

I move that the request for preliminary Planned Unit Development approval for a mixed-use development at 3400, 3460, 3474 Wilcox Ave, 1875 Waterworks Rd and 1490 Edgewater St, be recommended to the City Commission for (approval/denial) with the following recommendations for the final plan:

1. All staff recommendations listed in the staff report.
2. The following recommendations from the Planning Commissioners:

Hearing, Case 2018-26: Staff initiated request to rezone 372, 380, 388, 394, 398, 406, and 414 Houston Ave; 1246, 1252 and 1258 5th St; 235, 239, 240, 250 and 254 Monroe Ave; and 1148 6th St from R-3, High Density Single Family Residential to Form Based Code, Urban Residential.

SUMMARY

1. Staff is proposing the following rezonings from dense single-family residential to dense multi-family residential to accommodate a few new projects. These locations are already located near multi-family homes and should fit in nicely with the existing neighborhood.
2. Community EnCompass would like to build a new four-unit home on the vacant lot at 380 Houston Ave. This lot previously held a four-unit home before it was demolished. Half of this block is already zoned FBC, UR and hosts several large homes. This block could adequately support larger homes with the large alley and lots that could support multiple cars parking in the rear.
3. Community EnCompass also owns two of the three lots at 1246-1258 5th St. The County owns the other parcel. They have proposed a five rowhouses on these parcels. This type of development fits these parcels well, as they are too small to accommodate multiple single-family homes. The only type of home that would fit on these lots would be a single ranch, which is not compatible with the neighborhood. Please see the rowhouse rendering on the following pages.
4. The City owns the lots at 235-254 Monroe Ave. There is currently an RFP out for this potential development and the City is encouraging dense single family homes, including rowhouses and cottage courtyard buildings. Although the multi-family zoning is not required for these projects, the FBC, UR designation will allow for these building types. Please see the renderings of possible building layouts on the following pages.

1246 – 1258 5th St



235 – 154 Monroe Ave



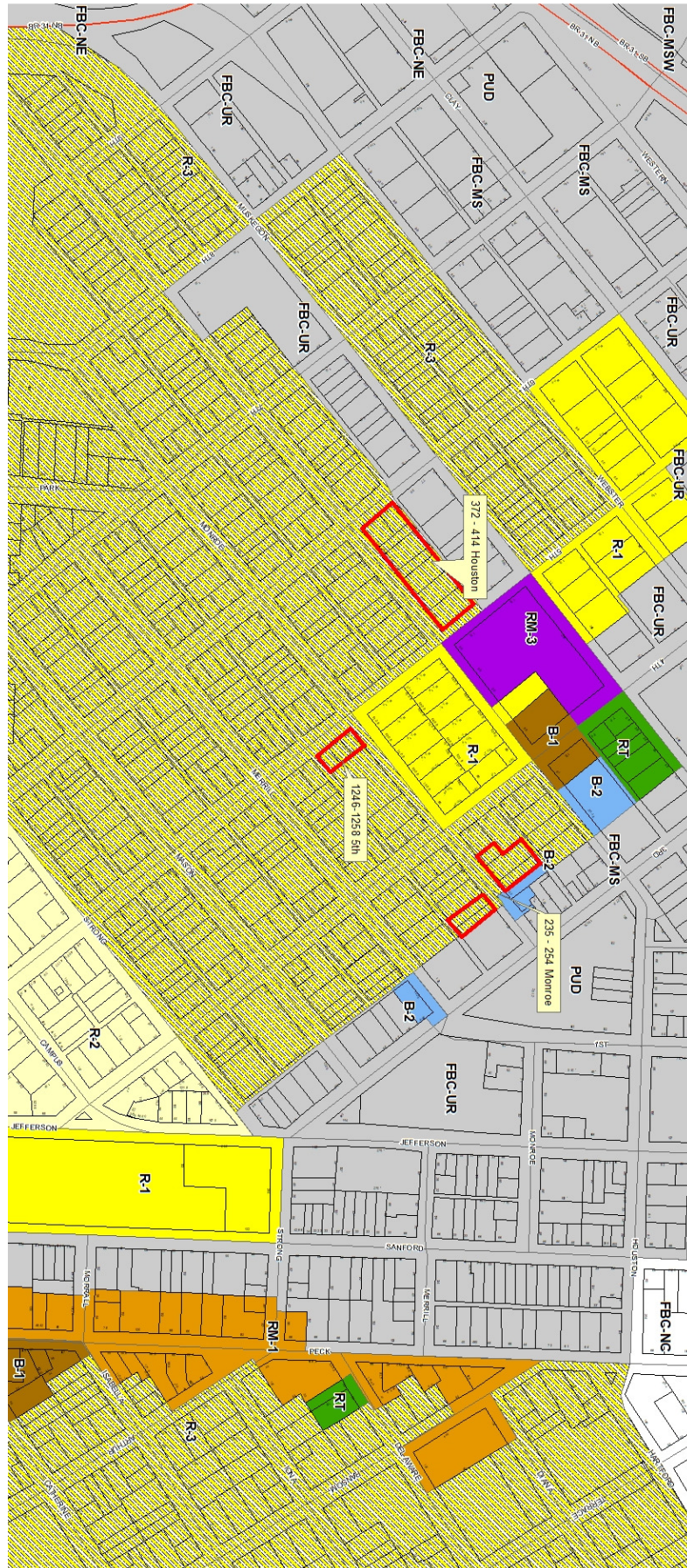
380 Houston Ave



Existing Homes in Same Block as 380 Houston Ave



Zoning Map



Aerial Map



Proposed Rowhouses at 1246-1258 5th St



Possible Cottage Court Homes at 235 – 254 Monroe



Possible Rowhouses at 235 – 254 Monroe



STAFF RECOMMENDATION

Staff recommends approval of the rezonings to allow for more housing options in the neighborhood.

DELIBERATION

I move that the request to rezone 372, 380, 388, 394, 398, 406, and 414 Houston Ave; 1246, 1252 and 1258 5th St; 235, 239, 240, 250 and 254 Monroe Ave; and 1148 6th St from R-3, High Density Single Family Residential to Form Based Code, Urban Residential be recommended to the City Commission for (approval/denial).